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6 BEFORE THE WASHINGTON STATE
7 OFFICE OF THE INSURANCE COMMISSIONER

8 IN THE MATTER OF THE
9 APPLICATION REGARDING THE
10 CONVERSION AND ACQUISITION
11 OF CONTROL OF PREMIER BLUE
12 CROSS AND ITS AFFILIATES,

No. G02-45

DECLARATION OF
LINDA TOSTI-LANE

13
14 WASHINGTON CITIZEN ACTION,
15 WELFARE RIGHTS ORGANIZING
16 COALITION, AMERICAN LUNG
17 ASSOCIATION OF WASHINGTON,
18 NORTHWEST FEDERATION OF
19 COMMUNITY ORGANIZATIONS,
20 NORTHWEST HEALTH LAW
21 ADVOCATES, SERVICE EMPLOYEES
22 INTERNATIONAL UNION
23 WASHINGTON STATE COUNCIL,
24 THE CHILDREN'S ALLIANCE,
25 WASHINGTON ACADEMY OF
26 FAMILY PHYSICIANS,
WASHINGTON ASSOCIATION OF
CHURCHES, WASHINGTON
PROTECTION AND ADVOCACY
SYSTEM AND WASHINGTON STATE
NOW,

Applicants for Intervention.

1 I, Linda Tosti-Lane, declare:

2 1. I am the President of Washington State Chapter of the National
3 Organization for Women (Washington State NOW). I have been a member since 1981
4 and have served as its President, Secretary and Legislative Coordinator. I have served
5 on Washington State NOW's Legislative Committee for over 12 years. In these various
6 capacities I have worked on a variety of issues of concern to our members, including
7 (but not limited to) health care access for Washington state citizens, Women's health
8 care, and reproductive rights.

9 2. Washington State NOW is an affiliate of the National Organization
10 for Women (NOW), whose purpose is to take action to bring women into full
11 participation in the mainstream of American society now, exercising all privileges and
12 responsibilities thereof in truly equal partnership with men. This purpose includes, but
13 is not limited to, equal rights and responsibilities in all aspects of citizenship, public
14 service, employment, education, health care, and family life, and it includes freedom
15 from discrimination because of race, ethnic origin, age, marital status, sexual
16 preference/orientation, economic status, or parenthood.

17 3. Washington State NOW is a grass roots organization of
18 approximately 2800 individuals from all income statuses, dedicated to enhancing the
19 lives of women. Women use most health care services and make most health care
20 decisions for themselves and their families. NOW is also dedicated to ensuring
21 economic protections for older women, who are all too often condemned to lives of
22 poverty and as a result have limited or no access to preventive and comprehensive
23 health care - either because they cannot afford Medicare supplemental insurance or the
24 necessary services are not covered under Medicare. Washington State NOW has been
25 directly involved in many health care access and health insurance issues over the years,
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1 including legislation to assure equal access and affordable health care to Washington
2 State Women and their children, insurance portability, maintaining the 3 month
3 waiting period for pre-existing conditions, expanding and stabilizing funding for the
4 Basic Health Plan , and testimony in support of WAC 284-43-822 Unfair practices
5 relating to health coverage,

6 4. Based upon information and belief, many Washington State NOW
7 members are enrolled in Premera Blue Cross. Many are low-income women and their
8 children who are enrolled in Premera Blue Cross through the Medicaid Healthy
9 Options program. Premera Blue Cross covers other Washington State NOW members
10 through either an employer or individual/small group coverage.

11 5. Many Washington State NOW members are beneficiaries of the
12 nonprofit assets held by Premera Blue Cross. Many members have inadequate or no
13 health coverage and would benefit from the creation of a health foundation that is
14 dedicated to addressing unmet health care needs in Washington State. Washington
15 State NOW members have a significant interest in ensuring that the proceeds from any
16 conversion are protected and appropriately dedicated to health care needs.

17 6. If full intervention status is granted, Washington State NOW,
18 together with the other ten consumer and provider organizations that have jointly
19 sought intervention status, plans to obtain a study of the health impact of the proposed
20 Premera conversion on Washington state consumers. The health impact study will
21 particularly consider the potential impact of the conversion on access to care for
22 consumers enrolled Medicaid, the Basic Health Plan and for low-income rural health
23 consumers. The health impact study will require discovery regarding Premera's
24 current and future business operations.

7. Washington State NOW has substantial expertise and knowledge regarding health care conversion issues. Board member Mary Clogston acted as legislation liaison for the Office of the Insurance Commissioner from 7/94 - 12/96. During that time the OIC introduced legislation that would create a holding company act for health care service contractors and health maintenance organizations. The intent of the legislation was to give the OIC greater regulatory authority over acquisitions and transactions within a holding company system - *i.e.* conversion from not-for-profit to for-profit. Although the legislation was not successfully passed until 2001, Mary spent two years working with the legislature and interested parties building a case for such legislation.

I declare under penalty of perjury of the laws of the State of Washington
that the foregoing is true and correct.

DATED this ____ day of November, 2002, at Seattle, Washington.

Linda Tosti-Lane